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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JEFF HOHLBEIN,) Case No. CV-10-00394-NJV
Plaintiff,)
v.) STIPULATION AND (Proposed) ORDER
JAGDISH P. PATEL, aka JAY PATEL, dba) TO SET ASIDE DEFAULT AGAINST
ECONO LODGE, MJCM MOTEL LLC, a) DEFENDANTS JAGDISH P. PATEL AND
California Limited Liability Company, and) MJCM MOTEL LLC AND OF DISMISSAL
DOES ONE to FIFTY, inclusive,) WITH PREJUDUCE
Defendants.)

Pursuant to FRCivP 16(d), the parties stipulate, and the Court hereby orders as follows:

1. The Default, and any Default Judgment, which has been entered against Defendants Jagdish P. Patel and MJCM Motel, LLC shall be set aside.

III

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2. The Parties have agreed to the dismissal of the above-captioned action with
2 prejudice, each party to bear their own attorney fees and costs.

SINGLETON LAW GROUP

Dated: May 17, 2010

/s/ Jason K. Singleton
Jason K. Singleton,
Richard E. Grabowski, Attorneys for
Plaintiff, **JEFF HOHLBEIN**

Dated: May 14, 2010 /s/ Jone Lemos
Jone Lemos, Attorney for Defendants
**JAGDISH P. PATEL, dba ECONO LODGE, MJCM
MOTEL LLC**

ORDER TO SET ASIDE DEFAULT AND OF DISMISSAL WITH PREJUDICE

Having considered the parties' Stipulation to Set Aside Default and of Dismissal with Prejudice and for good cause appearing, it is hereby ORDERED:

1. The Default for Defendants Jagdish P. Patel and MJCM Motel LLC is set aside.
 2. The action Jeff Hohlbein v. Jagdish P. Patel, et al., Case Number CV-10-00394-

NJV is dismissed with prejudice with each party to bear his or her own attorneys fees and costs.

Dated: 5/17/10


NANDOR J. VADAS
UNITED STATES MAGISTRATE JUDGE